

ENTERED

February 13, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

PHH MORTGAGE CORPORATION,

Plaintiff,

V.

MARIA CONCEPCION DYE, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:24-CV-00029

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

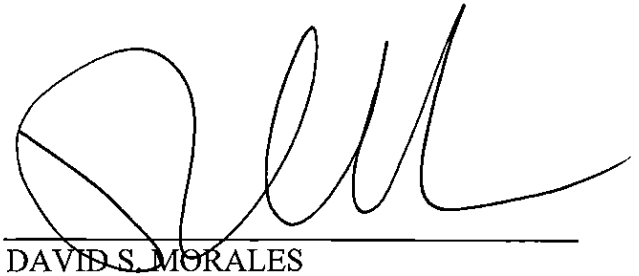
Before the Court is Magistrate Judge Julie Hampton's Memorandum and Recommendation ("M&R"). (D.E. 49). The M&R recommends that the Court grant Plaintiff PHH Mortgage Corporation's motion for default judgment against Defendant Jorge Torres. *Id.* at 1.

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, L.P.*, No. 4:14-CV-02700, 2015 WL 3823141, at *1 (S.D. Tex. June 18, 2015) (Harmon, J.) (citation omitted).

Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 49). Accordingly, the Court **GRANTS** Plaintiff's motion. (D.E. 27). The Court **DECLARES** that Plaintiff, in accordance with its statutory probate lien, may foreclose upon Defendant Torres's interest in the property at issue.

The Court will consider the award of attorney fees and costs post-judgment pursuant to Rule 54(d)(2) of the Federal Rules of Civil Procedure.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'David S. Morales', written over a horizontal line.

DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Signed: Corpus Christi, Texas
February 13th, 2025